

**SEATTLE POLICE DEPARTMENT
FORCE REVIEW BOARD
OFFICER INVOLVED SHOOTING**

INCIDENT INFORMATION	
GO:	2017-219301
Date of Incident:	06/18/2017
Involved Officers/Level of Force:	Officer McNew, S. #7451 – OIS Officer Anderson, J. #8329 – OIS
Overall Incident Level of Force:	OIS
INVESTIGATION INFORMATION	
Investigating Supervisor:	Force Investigations Team
Unit: <i>[FIT, SWAT, Precinct]</i>	FIT / North
Date Chain of Command Review Complete:	10/27/2017
BOARD INFORMATION	
Date of Board:	11/14/2017
Board Chair:	A/C Cordner
PRESENTATION OF INVESTIGATION	
FRB Case Presenter:	FIT – Capt. Hirjak

Incident Summary:

SEE ATTACHED REPORT

A. TACTICS AND DECISION MAKING

Check all that apply for each officer/issue:	
<p>1. Did the officer(s) employ tactics and decision making consistent with:</p> <p>a. Policy? If NO, which non-force policies? (include ICV here) (Use of Force Policy, discuss in next section) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>b. Training? If NO, what training? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Deferred to pending OPA Investigation</p>	<p><input type="checkbox"/> No Further Action Needed.</p> <p><input type="checkbox"/> PAS entry. Action requested by FRB:</p> <p><input type="checkbox"/> Refer to chain of command for counsel. Action requested by FRB:</p> <p><input type="checkbox"/> Refer to training. Action requested by FRB:</p> <p><input type="checkbox"/> Refer to OPA. Specific policy violations referred:</p> <p><input type="checkbox"/> Refer to other _____. Action requested by FRB:</p> <p>Board Analysis & Conclusions:</p> <p>SEE ATTACHED REPORT</p>
<p>2. De-escalation:</p> <p>If it was safe and feasible to do so, did the officer(s) involved take reasonable efforts to de-escalate prior to using force? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not feasible:</p> <p><u>Describe:</u></p> <p>If no, what might the officer(s) have considered:</p> <ul style="list-style-type: none"> • Decreasing exposure through time, distance, cover, or concealment • Containment of threat or placement of barriers • Verbal persuasion and/or advisements • Listen and Explain with Equity and Dignity (LEED) • Calling resources (CIT, additional officers, less lethal officers) • Other tactics to achieve compliance: <p><input type="checkbox"/> Deferred to pending OPA Investigation</p>	

REVIEW OF TACTICS AND DECISION MAKING: List By Each Involved Officer

Administrative Approval: Based on the documentation provided, the tactics and decision-making employed appear to be consistent with policy, and training.

Administrative Disapproval: Based on the documentation provided, the tactics and decision-making employed do not appear to be consistent with policy and training. See above for analysis details.

Name and Serial Number	Approved / Disapproved / Deferred to OPA
1. Ofc. Anderson, J., #8329	Approved
2. Ofc. McNew, S. #7451	Approved

B. COMPLIANCE WITH SPD USE OF FORCE POLICY

3. Compliance with the SPD Use of Force policy:

- a. Was the force used Reasonable, Necessary, and Proportional? ☒ Yes ☐ No
 b. Did the force conform to all policy requirements? ☒ Yes ☐ No

Board Analysis & Conclusions (each involved employee):

SEE ATTACHED REPORT

☐ Deferred to pending OPA Investigation

If "No", then:

☐ Refer to OPA.

Specific policy violations referred:

REVIEW OF COMPLIANCE: List by Each Involved Officer

Administrative Approval: Based on the documentation provided, the force used was compliant with SPD Use of Force policy.

Administrative Disapproval: Based on the documentation provided, the force used was not compliant with SPD Use of Force policy. See above for analysis details.

Name and Serial Number	Approved / Disapproved / Deferred to OPA
1. Ofc. Anderson, J., #8329	Approved
2. Ofc. McNew, S. #7451	Approved

C. SUPERVISION

<p>4. Was a SPD supervisor(s) on-scene prior to the Force being applied? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, did the on-scene supervisor(s) provide appropriate tactical guidance and support during the Force incident? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If no, and a supervisor responded to the scene afterwards, were there any identified issues with the on-scene portion of the Use of Force Investigation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Board analysis:</p> <p style="color: red; font-weight: bold; font-size: 1.2em; text-align: center;">SEE ATTACHED REPORT</p> <p><input type="checkbox"/> Deferred to pending OPA Investigation</p>	<p>Check all that apply for each supervisor:</p> <p><input type="checkbox"/> No Further Action Needed.</p> <p><input type="checkbox"/> PAS entry. Action requested by FRB:</p> <p><input type="checkbox"/> Refer to chain of command for counsel. Action requested by FRB:</p> <p><input checked="" type="checkbox"/> Refer to training.</p> <p><input type="checkbox"/> Refer to OPA. Specific policy violations referred:</p> <p><input checked="" type="checkbox"/> Refer to APRS.</p>
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REVIEW OF INCIDENT SUPERVISION—List by Each Involved Supervisor

Administrative Approval: The review board finds that the supervision and direction of the incident appears to be consistent with policy and training.

Administrative Disapproval: The review board finds that the supervision and direction of the incident does not appear to be consistent with policy or training. See above for analysis details.

Name and Serial Number	Approved / Disapproved / Deferred to OPA
1. A/Sgt. Schroeder, T. #6900	Approved
2. A/Lt. Pieper, P. #5335	Approved
3. A/Lt. Simmons, C. #6347	Approved
4. Lt. Arata, J. #5258	Approved
5. Lt. Fitzgerald, D. #6152	Approved
6. Capt. Sano, E. #4824	Approved

D. REPORTING AND INVESTIGATION

5. Was the FIT investigation completed within 90 days? ☐ Yes ☒ No

6/18/17 to 10/10/17

If no, was there an extension approved by a Bureau Chief? ☒ Yes ☐ No

☐ Refer to ____.
Action requested by FRB:

☐ Refer to OPA
Specific policy violations referred:

6. Is the FIT investigation complete (i.e. Do we have all material information need to conduct this review and analysis, or were there problems/issues discovered by the FRB?)?

☒ Yes ☐ No

☒ Refer to A/C Cordner -- FIT COC
(Feedback to be provided to the FIT COC)

☐ Refer to OPA
Specific policy violations referred:

Board Analysis: **SEE ATTACHED REPORT**

<p>7. Did the FIT Chain of Command identify any deficiencies in training, performance, equipment or policy issues?</p> <p> <input type="checkbox"/> FIT Lieutenant <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> FIT Captain <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A </p> <p>If yes, were such deficiencies properly addressed/referred? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe:</p> <p>SEE ATTACHED REPORT</p>	<p><input type="checkbox"/> Refer to ____.</p> <p><input type="checkbox"/> Refer to OPA Specific policy violations referred:</p>
<p>8. Did the Force Review Board identify any additional issues not identified by the FIT Chain of Command? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, describe (including recommendation(s)/action(s) to be taken):</p> <p>SEE ATTACHED REPORT</p>	<p><input checked="" type="checkbox"/> Refer to A/C Cordner – FIT COC for feedback.</p> <p><input type="checkbox"/> Refer to OPA Specific policy violations referred:</p>

REVIEW OF INCIDENT REPORTING AND INVESTIGATION:

Administrative Approval: The review board finds that the investigation is thorough and complete. The review board finds that preponderance of the evidence supports the reviewer's determinations.

Administrative Disapproval: The review board finds that the investigation is not thorough and complete or the preponderance of evidence supports the reviewer's determinations. See above for analysis details.

E. OTHER BOARD RECOMMENDATIONS	
9. Were there any issues raised or lessons learned during this incident? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Refer to Action requested by FRB:
Describe: SEE ATTACHED REPORT	

NOTES/COMMENTS:

SEE ATTACHED REPORT

UOFRB Chair / Assistant Chief	Date	Print Name	Serial	Unit #
<i>L. CORDNER</i>	<i>12/7/17</i>	A/C Cordner	5432	C100



Force Review Board Findings 2017-219301

INTRODUCTION

Consistent with Seattle Police Department Manual Section 8.500 (Reviewing Use of Force), the Department provides this report concerning the Force Investigation Team (FIT) investigation and Force Review Board (FRB, or Board) findings regarding the officer-involved shooting of Charleena Lyles.

It should be noted that this report is significantly longer and more detailed than is typical. While all FIT and FRB proceedings for serious use of force adhere to the same policies and procedures, established through the Consent Decree and approved by the federal court,¹ the Department releases this more comprehensive report for the following reasons.²

First and foremost, the Department respects that there can be no understating the significance of this review in the context of community trust. The Department has done its best to be as responsive, open and transparent throughout this investigation as it can be, and seeks to follow form here. Recognizing that considerations around policy, training, and tactics that may be well understood by members of the Board may require additional articulation for a public audience, in addition to providing this report detailing and explaining the discussions and findings of the FRB, and for purposes of providing a more complete record of the facts relevant to this incident and the Board's determinations, the Department also attaches for review (1) the Force

¹ The Force Investigation Team is responsible for investigating all serious uses of force by Seattle officers. Completed FIT cases are provided to the Force Review Board for full deliberation and review. The FRB is a select group of SPD personnel which meets regularly to make determinations as to (1) whether a use of force investigation is thorough and complete; (2) whether the force was consistent with SPD policy, training, and core principles, and (3) with the goal of continual improvement, whether any recommendations are made or other issues need to be addressed with respect to tactics, equipment, or otherwise. The FRB is composed of standing members selected by the Assistant Chief of the Professional Standards Bureau. Only standing members of the FRB may participate in the deliberations and vote during board sessions. These standing members include one representative from the Training Section, three representatives from the Patrol Operations Bureau, one representative from the Audit, Policy & Research Section, and one representative from the Investigations Bureau. The Captain of the Force Review Unit (or Assistant Chief of Professional Standards in the case of an officer involved shooting review) is the standing Chair and casts the final vote if the Board's vote is evenly split. A quorum of four voting members must be present for the Board to review completed cases. The FRB also includes a non-voting subject matter expert from the Crisis Intervention Team to answer issues related to a subject's mental health status, services they might be receiving, as well as assisting the FRB in determining if officers used best practices in de-escalation. Other observers to the Force Review Board may include Captains and higher, the Department's Chief Legal Officer, representatives from the City Attorney's Office, the U.S. Department of Justice, the Monitoring Team, and a representative from OPA. In cases involving an officer involved shooting, a citizen observer appointed by the Mayor's Office also attends. Observers are expected to refrain from interrupting or intervening in the deliberations. The deliberations follow the structure of the typical findings document, to which this report is attached.

² This report is a Department publication, reviewed and approved by Chief of Police Kathleen O'Toole. Contributors to the report include Chief Legal Officer Rebecca Boatright; Assistant Chief of Professional Standards Lesley Cordner; and Force Review Unit Captain Randal Woolery. Additional reviewers include Deputy Chief Carmen Best, Chief Operating Officer Brian Maxey, and Assistant Chief of Patrol Operations Steve Wilske.

Investigation Report (redacted), which summarizes the work of the Force Investigation Team (FIT) (Attachment A);³ (2) transcripts of the involved officers' interviews (Attachments B and C); (3) the Crime Scene Investigation (CSI) Report (redacted), which details the forensic evidence at the scene (Attachment D); and (4) as relevant to FRB discussions regarding the viability of a Taser in these circumstances, the Department's 2016 Taser Report, which details the rate and parameters of Taser effectiveness across all Taser deployments during that year (Attachment E).⁴

Second, the Department acknowledges the significance of this report in the context of the political scrutiny around this incident, which included unprecedented requests for information, analyses, and conclusions within days of what typically is a months-long investigation. Appreciating that many of the questions submitted by City Council members echo some that have been voiced in the community, the Department is also attaching to this report (5) its July 13, 2017, response to a series of 34 questions posed by Council regarding, in part, training around edged weapon responses, crisis intervention training, and the use of less lethal tools (Attachment F); and (6) its September 12, 2017, response to a series of follow-up questions around crisis intervention as relates to this incident, specifically (Attachment G).

Third, the Department is mindful of the significance of this investigation and review with respect to considerations regarding the Consent Decree. The Court has made clear both its interest in this case and subsequent investigation and the impact of this report on the Court's decision as to whether the Department is in full and effective compliance with requirements of the Consent Decree. The Department believes it would be remiss if it did not, through this report, offer as comprehensive a view as commensurately appropriate into the FRB's considerations, deliberations, conclusions and recommendations.

Finally, the Department wishes to address upfront questions that some readers may have regarding the absence of a specific recommendation from the Board to change policies or training in response to this incident. It is important in that regard to understand that SPD policies and training are by design dynamic; it is a core tenet of the Audit, Policy, and Research (APRS) and Training Sections to stay abreast of advancements in current research, technology, and equipment, and to continually re-evaluate and incorporate into policies and training best

³ Redacted PDF files of the FIT and CSI PowerPoint presentations to the Board can be accessed at https://www.seattle.gov/Documents/Departments/Police/2017-219301/CSI_FRB_17-219301_Redactions_Final.pdf and https://www.seattle.gov/Documents/Departments/Police/2017-219301/2017-219301_OIS_Powerpoint_2_Redactions_Final.pdf.

⁴ While the Department continues to meet its obligations under Washington's Public Records Act with respect to disclosure of records, in an effort to responsibly manage the precarious balance between privacy and transparency, the Department is not releasing, commensurate with this report, documents obtained or developed through the course of the investigation that are not directly relevant to either the decisions and actions of the involved officers at the scene or to discussions of the Board.

practices as they emerge.⁵ Where there are lessons to be learned from any incident, whether in Seattle or elsewhere, it is a responsibility that APRS and Training take seriously to ensure that such lessons inform policies and tactics as may be appropriate. Indeed, the Department's commitment to continuing reform demands that such critical review be an on-going, iterative, and engaged process that allows for policies and training to evolve to meet changing needs and expectations and to help guide best practices in the field. SPD will never shy away from open, honest dialogue around its policies, its training, and its tactics – and to the extent that there are practices elsewhere that Seattle may learn from or ideas that may spur innovation, the Department welcomes and encourages that discussion and engagement here. At the same time, however, there is no training yet developed that can capture all conceivable scenarios to which officers may be called to respond, and, given the dynamic interplay between a subject's behavior and intent, the circumstances involved, and other factors over which officers have little if any actual control, no policy that can guarantee that no event will ever end without tragedy. And for honest discussion to take place, it must also be clearly understood that this Department's leadership will never put its officers in a position where they, or another, are expected to sustain a foreseeably lethal wound before they may use force that is reasonable, necessary, and proportional to the threat they face.

The following sections of this report cover the summary of the FIT investigation, the FRB discussions around policy, training, tactics, the use of force, and the investigation, and FRB recommendations arising from this review. The summary is based on evidence contained in Force Investigation Team and Crime Scene Investigation files and reports (summarized in Attachments A and D). Quoted statements contained in this summary are from (1) the recorded statements of Officers Anderson and McNew (Attachments B and C); (2) recordings of SPD 911 communications; and (3) audio from the officers' digital in-car videos (DICV), which were active and recording during this incident.⁶

⁵In earlier responses to Council inquiries (Attachment F), SPD detailed its court-approved policies and training around crisis intervention, de-escalation, and edged weapons responses – training which is consistent with best practices nationally and elsewhere (including, as is oft-cited, Scotland and other jurisdictions where edged weapons, rather than firearms, present the more prevalent threat to officer and public safety). These policies were recently praised by the federal Monitor as “clear, simple, balanced, and well-reasoned ... among the best in the country.” The Monitor similarly cited SPD's training as “excellent and exemplary.”

<https://static1.squarespace.com/static/5498b74ce4b01fe317ef2575/t/58e6793bd2b857876413c2f3/1491499326403/Ninth+Systemic+Assessment--Use+of+Force--FINAL.pdf>, at p. 1.

⁶ 911 and DICV recordings can be accessed at <http://spdblotter.seattle.gov/2017/06/19/fatal-officer-involved-shooting-investigation-in-sand-point/>

SUMMARY

This incident took place on June 18, 2017, at 6818 62nd Ave NE, #4303, the residence of Charleena C. Lyles, DOB 04/24/1987. 6818 62nd Ave NE is in the Brettler Family Place apartment complex, a transitional housing facility owned by Solid Ground and managed by Mercy Housing. The building is in the back of the complex and is not visible from 62nd Ave NE.

At approximately 0855 hours, Ms. Lyles called 911 and stated: "I would like to report a break-in. Can an officer come to my house?" She explained: "I just walked in. I noticed that there's some stuff missing out of my house and my door was open." She reported that she and her children were present, but no suspects were in her home. She reported that the lock on the door was "loose." The call taker asked her, "What's the time frame that we're looking at here? Like could this have happened anytime overnight or did you leave to go to the store for an hour and came back and it was like that?" Ms. Lyles responded "Yeah, I left to go to the store and came back but um ...". The call-taker asked her to clarify the time frame. Ms. Lyles replied, "It was (unintelligible) happened maybe about a few hours ago, or something. It wasn't that long." The call taker asked, "So about the last two to three hours?" Ms. Lyles did not answer. The call taker repeated, "So it would have happened within the last two to three hours?" Ms. Lyles responded, "Yes." The call taker advised that an officer would respond, and the call ended. Communications classified the call as Priority 3⁷ and, per protocol for Priority 3 calls, dispatched the call electronically (via computer).

At approximately 0859 hours, Officer Anderson #8329 received the dispatch on his mobile data terminal (MDT, or in-car computer) and responded, as a single officer to take the burglary report. A completed burglary with no suspect present is generally a low priority, one-officer call (as dispatched here), for which back-up would ordinarily not be requested or dispatched. Officer Anderson has CIT training, was in full uniform, and was equipped with OC spray and a baton as less-lethal tools. He is Taser-trained, but was not carrying his Taser at the time of this incident.⁸ Officer Anderson was driving a marked patrol vehicle equipped with DICV.

After arriving at the location, Officer Anderson parked his patrol vehicle facing the location. Prior to making contact, Officer Anderson ran a records check on the address. That search returned a

⁷ Calls for service, whether dispatched or officer-initiated, are assigned a priority, based on the immediacy of the need. Priority 1 calls are incidents that require an immediate response, including incidents that involve obvious immediate danger to the life of a citizen or an officer. Priority 2 calls are noted as urgent, or incidents which if not policed quickly could develop into a more serious issue (such as a threat of violence, injury, or damage). Priority 3 calls are investigations or minor incidents where response time is not critical to public safety. Priority 4 calls involve nuisance complaints, such as fireworks or loud music.

⁸ The issue of whether the failure to carry the Taser was a policy violation under 8.300-POL-3(3) was referred to OPA by FIT; consistent with policy, the FRB did not consider this issue. However, the FRB did consider whether a Taser would have been an appropriate tool under these circumstances. See Section C.

record identifying a prior incident that had resulted in an NCIC (FBI National Crime Information Center) "Officer Safety Caution" notification as to Ms. Lyles. Officer Anderson pulled up the underlying report on his MDT, which detailed a June 5, 2017, incident involving a reported domestic disturbance, wherein Ms. Lyles had brandished a large pair of scissors at officers. That incident had resulted in an arrest and a referral, by SPD, to Mental Health Court. Additional entries regarding Ms. Lyles reported numerous other incidents, prior to June 5th, in which she was identified as, alternatively a victim, a witness, or a suspect, but none of which identified mental health issues or assaults on/threats to officers.

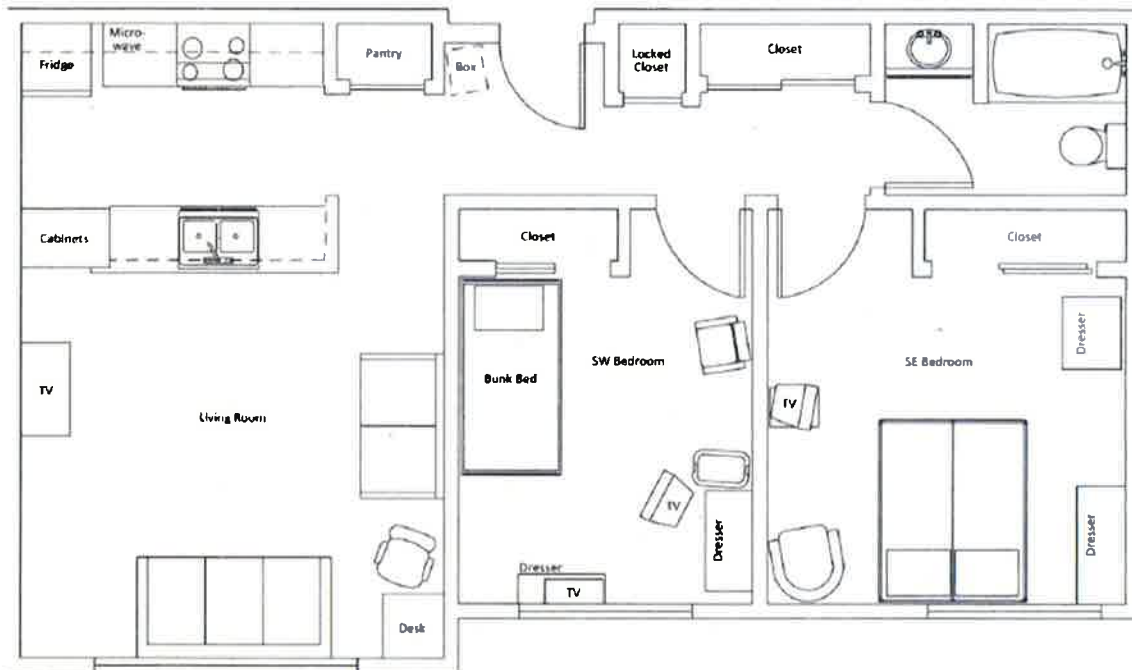
Because of the Officer Safety Caution arising from the June 5th incident, Officer Anderson requested that a second unit also respond to assist with the burglary report. Officer McNew #7451 responded, arriving at approximately 0941 hours. Officer McNew is CIT-certified (has completed the 40-hour Crisis Intervention Training course) and has completed several 8-hour courses of annual additional CI training. Officer McNew also regularly assists at Sound Mental Health, where he provides security and serves as a resource for crisis intervention and de-escalation. Officer McNew was in full uniform and was carrying a baton as his less lethal tool. He is not Taser trained. He was driving a marked patrol vehicle equipped with DICV.

Officer Anderson briefed Officer McNew about the officer safety caution and the June 5th incident as they walked to her apartment building. They discussed that they would not allow her to get behind them.

Officer Anderson buzzed Ms. Lyles' apartment from the call-box at the door of the locked building and identified himself. Ms. Lyles allowed entry through the remote buzzer without incident.

At approximately 0946 hours, nearly an hour after the initial call, Officers Anderson and McNew knocked on Ms. Lyles' door. Ms. Lyles answered the door, they exchanged greetings, and she led them into the apartment. There was a large box, just inside the door, and the apartment was cluttered and in disarray. The officers noticed that Ms. Lyles was wearing a black thigh-length down coat. They noticed two small children crawling around in the living room, who did not appear to be in any distress.

The below diagram illustrates the layout of the subject apartment:



The apartment door opens into a hallway that runs, as one enters, approximately 14.5 feet to the left (east). Off that hallway are the entrances to two bedrooms, and at the end of that hallway is a bathroom. The doorway to the southwest bedroom was closed at the time of this response. To the right as one enters is a pantry and a galley-style kitchen, approximately 10.2 feet in length and averaging 3.6 feet in width. A small living room (13.1 x 14.3 feet) lies just beyond the kitchen counter peninsula. The entry between the kitchen and the living room is 3.6 feet wide.

Officers Anderson and McNew proceeded to conduct a routine burglary investigation. Ms. Lyles led them down the hallway to the back bedroom and pointed out where a PlayStation 4 had been, which she reported to be now missing. She then walked Officers Anderson and McNew back into the kitchen/living room area. Ms. Lyles was standing next to the kitchen counter peninsula, in the entryway into the living room, and Officer Anderson stood approximately three feet away from her, near the front door. Officer McNew moved into the kitchen, triangulated between Ms. Lyles and Officer Anderson. Ms. Lyles continued to calmly answer Officer Anderson's questions, reporting that an Xbox had also been stolen from the living room. Both Officers Anderson and McNew reported that they observed Ms. Lyles move her hands in and out of the pockets of her coat, but as she was not suspected of any crime, had been calmly and clearly answering questions relating to the reported burglary, and neither officer believed her to pose a threat of harm at that time, officers neither directed her to show her hands nor sought to frisk her. The following is an excerpt from Officer Anderson's FIT interview on this point:

Q: Okay. Was, prior to her attempted, or her assault on you, was, uh, she a suspect in any kind of a crime?

A: No.

Q: That you know of at that time.

A: No.

Q: So did she give you any, uh, reason to—in your mind—to pat her down, to frisk her?

A: No, there was no need. She was a complainant, she was calling to report a burglary that had occurred in her apartment. There's no reason you would ask her to keep her hands out or, you know, anything like that, you know. Um, we're going to take her, take a report and, you know, gather evidence if there is any, so.

He later described:

Um, our conversation was very cordial and, uh, it was, you know, just the standard, standard conversation you have with anybody. Um, you know, it was back and forth. I was asking her questions and she was answering and, uh, she didn't appear st- odd or any-, you know, nothing stood out to me that, you know, was different, you know. Her children were playing on the floor and, um, yeah, I mean everything seemed, seemed normal, you know, as far as her behavior and everything during the conversation, so.

With regard to considerations of a frisk, Officer McNew explained:

Q: I was gonna ask the next question there, yeah, um... So you mentioned she put her hand in her pocket (unintelligible). At any point in time, I mean, did you have any frisk factors? Was she the suspect in a crime?

A: Oh, absolutely not. No. She w-, she was the victim, reporting party. Um, the reason I... We were observing her, uh, given her officer safety information. We go in and we make an assessment. You know, we're observing her, we're observing her demeanor, and everything about her demeanor presented as she... stated in her call. She was the victim of a burglary and wanted to report it, um... Frisk factors would've been, you know, sh-she's not a suspect. She can put her hand in her pocket. I note it because I'm a police officer and I note when peoples' hands, you know, disappear or go in pockets. But even with that... that part of her encounter, when she put her hand in her pocket, I remember noting it, but then her hand came out. And, you know, we're always watching hands, but I'm not going to... frisk someone who's a cooperative victim, who's providing the details of the burglary. And she didn't do anything with her hand at that point that would give me further concern. Um, so yes, while I noted it because that's what we do, w-we see those kind of things, it didn't give me concern.

Q: OK. And typically what kind of things do you need in order to frisk somebody?

A: Frisk factors can be a lot of things. For a potential suspect, um, frisk factors can have to do with how many officers are present, um, the clothing that someone's wearing, if it's possible that it could be, um, hiding a weapon, identifying suspicious bulges, anything that may look like somebody concealing a weapon, um... There's certain crimes, you know, often drug related, uh, offenses, drugs and weapons tend to go together, um... So the severity of the crime, um... The location, the time of day, uh, previous knowledge of the suspect having weapons can play into that, um... But again, we're talking about suspects. You frisk suspects. You don't go in and frisk a victim, um... You assess, in this case... what are we here for? We're here for a burglary. We've got somebody who's cooperating, who's calm, who's reporting that burglary. She sticks her hand in her pocket, or even wearing a slight coat, lots of people wear coats in their home. Coats, sweaters, that kinda thing. I didn't get presented with anything... Until the point of the deadly force encounter, there was nothing there that, in my training, made me feel that she was a danger to us, or that gave me alarm.

Officer Anderson reported that he was standing near the doorway, approximately three feet away from Ms. Lyles ("at conversational length") looking down and writing notes relating to the reported burglary in his notebook, when he saw Ms. Lyles' hand suddenly move from her right side:

Um, as I was looking down to write um, I believe it was, I was gonna write the PlayStation 4 that she had just mentioned, um I noticed her arm moving uh her hand um um that was by her side uh, I don't know if it was in her pocket or where, where her hand was exactly as I was writing um, I saw (unintelligible), a f-, a flash of a, a knife, uh you know a blade coming directly at my, towards my abdomen and uh as you know like a sticking motion, her arm was coming straight out and towards me, towards my abdomen with um what I saw was a knife um, it appeared to be maybe, maybe a 4 or 5 inch knife, I don't recall exactly how long it was in that brief second.

He described:

At that moment I was kind of, kind of in, in shock about you know, that she was talking normally and interacting with us normally and then all of a sudden she's trying to stab me with a knife. And uh, I remember jumping back and uh, uh kinda fumbling back and the, the door's right behind me. Um, and uh just the look on her face changed completely from when I had been talking to her a second earlier, she was directly focused on me like she was intending to s-, to stab me and her, it, I, I can't describe the face the change to but it was just intensely focused, like, I'm coming to get you.

Officer Anderson reported that he sucked in his abdomen and jumped back to avoid being stabbed, dropping his notebook, which was later located at the scene on the floor in the apartment. He reported that he drew his department-issued Glock 9 mm handgun, directed her to "Get back!", and radioed for back-up. He reported that Ms. Lyles appeared to understand the

command, as she stepped back a couple of feet toward the living room, but then turned towards Officer McNew. With regard to the verbal command, he stated:

Q: In your opinion, did the subject appear to understand that command?

A: I believe initially, yes, um, she did take a step back, and then proceeded forward.

He continued:

Um, um, I believe we said, "Get back" multiple times and then she started, she started coming forward um, I don't recall anything that she said or was saying um I, I was just focused on the, the knife um uh and then she started quickly advancing forward uh to come around the counter from the living room into the kitchen where Steve was in a dead end kitchen, just, it's a galley kitchen with a wall at the end, and uh, uh at that moment I was in, in fear that she was gonna try and kill my partner um 'cause she was going after him. She has, she, I don't know at what point she changed her focus from, from me to Steve um, but as she started turning the corner to go after Steve that's when I um, that's when I shot.

Officer McNew reported that he had been in the kitchen, listening as Officer Anderson was wrapping up the burglary investigation. He reported that Ms. Lyles appeared to be calmly answering questions. He reported that he was looking at items on the kitchen counter when he heard a commotion, looked up, saw that Ms. Lyles had a knife in her hand, and drew his handgun. He described her emotions as suddenly changing from calm, non-threatening, and nonchalant to grimaced, with her body tensed and postured. He described:

Um, so she's standing at the other side of the bar and I believe I'm on the side of the kitchen and Officer Anderson is very close proximity to me and I'm looking around the kitchen at the condition, there, it looked like there was a meatloaf that might have been 3 weeks old, like half eaten on the counter. Um, the kitchen was in complete disarray and there, there's kids rolling around and I'm just trying to take in the situation and kind of assess what's going on and then very quickly and again, I don't recall, it's been a long day, it w-, happened very fast, but a knife gets produced. Um, and then, what was a victim who was calm in her demeanor, who was answering questions, um, in a way that didn't make me feel she was plotting something, she was just answering questions. You ask date of birth, she was answering. You know, I'm hearing this going on with Officer Anderson as I'm taking in the scene and then, all of a sudden there's a knife and she's got visib-, there's visible emotion, like you know her face is grimaced, and I didn't recall, I, I knew she had said something and I, I could see the emotion on her face.

He reported that Ms. Lyles turned toward him and raised the knife, which was in her right hand, over her shoulder, in a manner he compared to the "windup of a baseball player that's about to throw something." Believing that Ms. Lyles was going to throw the knife at him, he ducked down

to avoid being struck in his face. He reported that when he didn't feel a knife hit him, he stood back up, and saw that Ms. Lyles was now holding two knives, one in each hand.

Both Officer Anderson and Officer McNew commanded Ms. Lyles to "Get back." Both had their firearms pointed at her. Ms. Lyles stated, "Do it. Do it." Officer McNew stated to Officer Anderson "Tase her!" Ms. Lyles stated "You can't do that either motherfuckers." Officer Anderson responded "I don't have a Taser." Both officers commanded her again to "Get back."

Officer McNew got on North Radio and reported "We need help. We got a woman with two knives." Officer Anderson stated that he feared that Ms. Lyles, who had just assaulted him and was advancing on Officer McNew, was going to stab Officer McNew, "who did not have an escape route." Officer Anderson described: "Her hand was, um ... raised above her waist, um, and she was ... I wouldn't say running, but moving very quickly towards Officer McNew."

Officer McNew reported that Ms. Lyles was approximately three feet from him, holding two knives, and that he feared that he was about to be stabbed:

So she had these knives and she gets into that gap and then I realize where I'm at and I'm stuck in a kitchen where I've got 2 feet behind me and there's nowhere to go and I, I knew she was talking and I thought she said, "Come on" or something like that and she starts closing that gap to where she's gonna cut off my, my avenue of escape and now I'm 3 feet from someone with 2 knives. And at that point fearing for what was about to happen, what she would do to me um, being stuck in that spot, I fired my handgun.

Both officers independently made their decisions to fire their duty weapons. Casings and bullets recovered at the scene and bullets recovered during autopsy show that Officer Anderson fired four rounds and Officer McNew fired three.

When asked whether he believed he had any alternatives to the use of force, Officer Anderson stated in part: "There was no time. We didn't have any shielding and we didn't have any distance between us. There was ... literally feet between us." Officer McNew stated: "At the point where I decided to use force, as I explained before, the subject had unabated access to me, to my person, and she was armed. I didn't feel that there was any other reasonable alternative."

Officer McNew further explained his thought process:

Q: Okay. So she comes up into this, this intersection and, and, and you, you made the decision to fire your weapon. At that point in time if you can try to focus on your surroundings and, and do you, can you describe what you, what that looked like at that point in time?

A: At the point between when she tried to, when I believe she was trying to throw the knife at me, to coming back up and, and seeing that she was still fully engaged and that she was moving over. She was coming towards the end of the, I think she even made it past the end of the counter. But it was this, in real time and in happened in seconds, in

your mind you're thinking like you know, I don't want to have to do this, you know you're, you're thinking about, okay there's kids, should I be trying to make my escape? My partner's over here...and very quickly if she takes another step, not only am I trapped, but now I've got my partner standing right behind me. And so there wa-, there was that moment in time where you don't want it to happen, you want this to keep evolving to, to where you can see that's going even though it's just split seconds, but these things are going through your head; it's that she's coming around that corner, she's initially looking at him, but now I've got a problem to where now she's got unevaded access to me with knives, and my partner potentially is gonna be in direct crossfire which means my options at that point are to, I can't shoot at my partner, you know and there's no real options that way. My only option at that point was gonna be to try and defend myself somehow against someone wielding knives. And so when it got to that point, even though I was, you're sitting there going in your mind, you know you're, you're hoping that this'll stop, you're hoping that this isn't gonna go any further. She finally gets to that point and it's like there's no other choice, either I do this now or she's gonna get me or I'm in an impossible situation and so at that point it wasn't, it switched from initially you know kinda taking him like "Holy crap", she's got these knives too, I can't take off 'cause these kids are right here, what's gonna happen if we leave to, she's moving towards this intersection where my partner's at to very clearly like, now it's just me. You know, he's out the door, you know he doesn't have to worry about it, now she's got me cornered and I wasn't willing to take my chances to see what she could do to me with that and so at that time, that's when I fired.

He stated:

Based on my training, including education as to the damage knives can inflict, even smaller knives, I knew that the reactionary gap for her to get to me and for me to defend myself was very small at that point. And even if I was able to somehow...go to a position where I could get my arms up and protect my neck or other vital spots, um, stabbing, slashing, um, even slashing of the arms, the neck, the head, uh, can result in disabling injury. She gets to my face, uh, and stabs me in the face, cuts me in the face, uh, blood loss alone could, could blind me and make me further susceptible. Um, so when she was at the point to where I felt she could have me trapped in that kitchen, my fear is that she could kill me.

Ms. Lyles fell to the ground, landing on the floor in the entrance to the kitchen. Her infant child, who had been crawling around the living room, climbed on to her back. Officer McNew radioed "Shots fired. The subject is down. We need officers on scene. We need medics as well. We are not under control." At that point, Ms. Lyles' older son, whom officers had not known to be in the apartment, opened the door to the bedroom, in which he had reportedly been sleeping. Officer McNew asked him to go back into the room.

Officer McNew asked Officer Anderson to hold cover (position his firearm to protect against a potential second attack) while Officer McNew moved in to pick up the infant child. Officer McNew also checked on the other young child, who was sitting in the living room.

Officer McNew attempted to get on radio to give updates to dispatch and others responding, but reported that his radio kept “bonking” (the noise heard when the button on a radio microphone is pushed in an area where the radio is not functioning or when radio is occupied). Officer McNew, while carrying the infant child, had to move into the main hallway of the apartment building, through a fire door that separated the hallway from the stairwell, and over to a window at the top of the stairwell in order to broadcast their location to arriving units.

Officer Schickler #6678 was the first of the backup officers to arrive at the scene. He exited his patrol vehicle and ran into the building and up the stairs. Officer McNew, who was still holding the infant child, told Officer Schickler that he needed to get the children out safely. Officer Schickler entered the apartment and escorted Ms. Lyles’ older son from the bedroom, covering his eyes. Officer Schickler then picked up the young child from the living room and took them both downstairs. Officer Schickler spotted a neighbor of Ms. Lyles and asked her if she would take the children and wait by a patrol vehicle; she stated that she would. Officer Schickler ran back upstairs and took the infant child from Officer McNew, handing the child off to another officer outside. Officer Schickler, Field Training Officer Barton #7568, and his student Officer Ladd #8461, confirmed that there were no additional individuals in the apartment and that the scene was secure, then began rendering first aid and CPR to Ms. Lyles. Additional arriving officers also assisted in rendering first aid. Officer McNew radioed in to check the status of Seattle Fire Department personnel, was told that SFD was staging, and he advised that they could move in.

Upon entering apartment, the first arriving Fire personnel asked officers who were performing first aid and CPR on Ms. Lyles to move her out into the main hallway of the building so they would have more room to work. Officers and Firefighters moved Ms. Lyles into the hallway, and officers and fire personnel continued their attempt to revive her, but were unsuccessful; she was declared deceased at the scene. SFD personnel then left.

Officers Procter #8463, Sobania #8300, and Gray-McVey #7652 took custody of the three children from Ms. Lyles’ neighbor. On DICV, Officer Gray-McVey asked Ms. Lyles’ older son what had happened; he responded that he did not know, that he was sleeping, and then he heard shots. SPD Victim Support Team personnel arrived and took custody of the children, who were later taken into the custody of Child Protective Services. None of the children were physically injured.

An autopsy revealed that Ms. Lyles was struck seven times by gunfire. The autopsy also revealed that she was approximately 14-15 weeks pregnant. Toxicology reports revealed no alcohol or detectable narcotics or medications in her system at the time of the incident.

Video from the hallway outside of Ms. Lyles’ apartment was obtained, which showed all movements into, and out of, her apartment for a 24-hour period prior to this incident. This video

showed that no one had entered the apartment during the timeframe in which Ms. Lyles had reported that a burglary occurred, and it showed that Subject Lyles had not left the apartment to go to the store that morning as she had stated in her 911 call. The video showed that Ms. Lyles had briefly left her apartment to take out her garbage, but that no one had entered her apartment during the few minutes she was gone. There was no indication that anyone had attempted to enter the apartment, which is on the third floor of the building, by way of any windows, or that anyone had removed the reportedly missing items from the apartment.

Following execution of a search warrant on the coat Ms. Lyles was wearing, CSI detectives located (1) in the hem-line underneath a torn, lower right pocket a sheath that matched a knife that was recovered near the front door to the apartment; and (2) in the lower left coat pocket, a black-handled knife with a 4-1/2 inch blade. Seven knives were recovered from kitchen and entryway area, as shown in the CSI report (Attachment D).

A. TACTICS AND DECISION-MAKING

1. POLICY AND TRAINING

The Board discussed the initial response, noting that Officer Anderson exercised good discretion by running the address, a step that, depending on how busy officers are and the nature and priority/severity of the call, may not ordinarily be done. Upon seeing the officer caution alert, Officer Anderson retrieved and reviewed the report of the June 5th incident; while a report of a completed burglary with no suspect known or on-scene is ordinarily handled as a low priority, one-officer call, the Board agreed that Officer Anderson exercised good judgment in taking the time to review the officer safety caution and the June 5th report and in calling for a back-up officer (Officer McNew, who is CIT certified)⁹ and waiting for him to arrive before contacting the complainant. The Board agreed that this was appropriate staffing for the response given the information available to the officers at the time.

⁹ In response to an observer question, the Board discussed whether Officer Anderson should have requested that the officer who had responded to the June 5th incident respond to this burglary call. The Board discussed that the Department does not have staffing resources or deployment capacity to pair officers with particular callers, that best practices in crisis intervention discourage such pairing so as to avoid "cop shopping," and that saturation of CIT-certified officers across watches and precincts allows for consistency in crisis intervention responses city-wide. See https://www.seattle.gov/Documents/Departments/Police/Publications/Crisis_Intervention_Report-2016.pdf, which details CIT saturation levels and trends, including use of force, across nearly 9,200 crisis responses in 2016. The Board also noted that the officer involved in the June 5th incident worked a different shift and would not have been available.

Note: One point bears mention with respect to understanding the extent of the information that was available to responding offices. In pulling data to answer a specific Council inquiry, the Department reported that officers had responded to calls involving the subject apartment on 23 separate occasions since January 2016 (see Exhibit F); at the time of the response, however, that is not information that would have been easily aggregated for responding officers. In September 2017, the Department expanded its series of SeaStat dashboards (<https://www.seattle.gov/police/information-and-data/seastat>) to include a new CAD (Computer-Aided Dispatch) dashboard, which provides the Department with new functionality

REPEAT LOCATIONS



to aggregate and analyze call volume, call type, and trends by multiple temporal and spatial breakouts. Included in this functionality is a “repeat response location” dashboard that breaks out those locations associated with the highest frequency of calls for service. For illustrative purposes, an example of this dashboard, showing repeat response locations for East Precinct (specific addresses redacted), response times, and service times, is inserted here.

The Board noted that this enhanced capability may provide opportunities, whether for SPD or in partnership with other services, for proactive outreach to individuals who may be high utilizers of police services to identify whether there are factors underlying a particular history of calls that might be addressed through alternative services or support. At the same time, however, where there are many locations that average yearly calls for service well into the hundreds, it is speculative as to whether this specific location, with 23 calls, would have risen to the level of warranting proactive intervention by SPD, particularly insofar as it was located in a community designed to provide Ms. Lyles with a network of support services.

The Board discussed whether a supervisor should have been called to the scene prior to entry; the Board noted that a completed burglary call is not one for which officers would be expected to call for a supervisor to be on-scene, or to which a supervisor would expect to be called. The Board agreed that this would be true notwithstanding the officer safety caution, especially with a CIT-certified back-up present.

Prior to entering the building,¹⁰ the officers discussed the earlier incident, noted the caution, and agreed that they would not allow her to get behind them. Given the nature of the call and what was known to the officers at the time, the Board agreed that this was a sufficient and appropriate plan. The Board noted that the officers were clear on their roles as the primary (contact) officer (Anderson) and secondary (cover) officer (McNew).

The Board discussed that, in hindsight, Ms. Lyles' demeanor on the 911 call might be construed as odd, and questioned whether Communications should have noted that as well. The Board noted, however, that it is not uncommon for people to appear nervous when calling 911. The Board noted what could be considered leading questions by Communications and, while acknowledging that call-takers may employ leading questions as they are trained solicit information quickly, recommended that this issue be considered as a training point.

The Board discussed whether, considering the June 5th incident, officers should have called for additional back-up, such as the Crisis Response Team. The Board noted that on June 18th there was no indication at any point prior to her assault on Officer Anderson that the subject might be in crisis. (The Board also noted that, by itself, the fact that the subject pulled knives and assaulted officers does not per se mean that she was, in fact, "in crisis.") The Board noted that the CRT would not have been on duty that day, as it was a Sunday.¹¹

The Board discussed that the fact that a person had experienced a crisis incident on one or even more occasions is not a basis for assuming that a person is mentally ill or will react violently on any subsequent occasion; the Board noted that, to the contrary, training around mitigating the public stigma around mental health issues emphasizes responding to people as they present at

¹⁰ The Department acknowledges that some may question the decision to enter the building in the first place in light of the June 5th incident. Countervailing considerations would be (1) principles of community-oriented policing, which promote the delivery of police services to complainants at their location; (2) the nature of the call and considerations around a caller's convenience (in this case, Ms. Lyles was alone with her two small children, whom she presumably would not leave alone); (3) best practices around equitable policing that discourage officers from stigmatizing callers, or providing differential levels of police service, based on a person's status in prior encounters; and (4) the potential for complicating a scene by introducing additional unpredictable factors, including on-lookers or other residents. The Board agreed that it would not be typical, in responding to a completed residential burglary call, that officers would summon the complainant to meet them at a location other than that where the burglary reportedly occurred, where evidence is most likely to be found.

¹¹ The Crisis Response Unit comprises 1 Sergeant, 5 Officers and 1 Mental Health Professional, divided into two teams. The Crisis Response Team (CRT), on duty Monday-Friday, 8 am to 5 pm, responds to incidents in the field that involve subjects in extreme states of behavioral crisis, and the Crisis Follow-Up Team (CFT) follows up on cases involving serious behavioral crisis through intervention at the lowest-level, least-intrusive interception point and works to prevent and reduce harm by helping a subject gain behavioral self-control through engagement with treatment. The CRT can be requested by incident commanders, or officers on a scene involving a person in behavioral crisis. The Board noted that due to the dispatch elements of this incident (completed burglary), the CRT would not have responded to this incident; this was not dispatched (nor was it initiated) as a crisis call. Rather, during the 911 call and for the first several minutes of the officers' investigation, the subject appeared to be in behavioral control and was not exhibiting behavior symptomatic of behavioral crisis, mental illness, or criminal intent.

the time, with consideration as to the status of the individual (e.g. victim/suspect), and emphasizing principles of LEED (Listen and Explain with Equity and Dignity). The Board discussed that persons who are mentally ill are categorically no more violent than the greater population generally and that Crisis Intervention training emphasizes not assuming a person to be categorically more violence-prone because of a mental illness.

The Board noted that the prior incident was SPD's only record of any mental health concern¹² and followed a domestic violence disturbance, which by their nature are emotionally-charged and volatile situations. In contrast, the June 18th call was for a reported break-in, during which the subject appeared calm and controlled. The Board noted that calling in a greater law enforcement response than appropriate can have the undesirable effect of escalating situations, particularly in circumstances where a person may be uncomfortable or nervous around law enforcement generally. The Board noted that SPD had referred the June 5th incident to Mental Health Court, through which officers would reasonably expect that she would have received an evaluation and services as appropriate.

The Board discussed the fact that she was wearing a puffy, down thigh-length coat despite the warm temperature in the apartment. The Board discussed whether, based on the information the officers had at the time, officers should have suspected Ms. Lyles to be armed and should have attempted to frisk her.

The Board agreed that, as officers had no basis on which to suspect that Ms. Lyles was presently engaged in criminal activity (to the contrary, she was reportedly the victim of a crime), the officers acted appropriately in not conducting a frisk. The Board further agreed that SPD Manual Section 6.220(8)¹³ did not apply, as this was not an investigative stop of a criminal suspect; the

¹² Subsequent to this incident, it was reported (<https://www.seattletimes.com/seattle-news/seattle-mother-of-4-shot-by-police-was-getting-mental-health-help-records-show/>) that Ms. Lyles had been the subject of a prior arrest in Auburn following a domestic disturbance with her sister, had been diverted into treatment at Sound Mental Health, but that she was non-compliant with that treatment. As a non-SPD case, that was not information that was readily available to responding SPD officers.

¹³ Under SPD Policy Manual Section 6.220, <https://www.seattle.gov/police-manual/title-6---arrests-search-and-seizure/6220---voluntary-contacts-terry-stops-and-detentions>, officers may not conduct a frisk or pat-down for weapons during social contacts or noncustodial interviews. During a *Terry* stop (investigative stop of a person whom officers have reasonable suspicion to believe to be engaged in criminal activity), Section 6.220(8) allows for frisks only when officers also reasonably suspect that the suspect(s) may be armed and presently dangerous. The Monitor's Tenth Systemic Assessment, regarding stops and detentions and associated frisks, makes clear that under Seattle's policy a "gut instinct that something is amiss is not sufficient" to establish reasonable suspicion for a frisk, even where the detainee is the subject of a criminal investigation:

Instead, the officer must have sufficient, articulable grounds not just that the subject has been, is or will soon be engaging in criminal activity but also reason to believe that the suspect is armed and presently dangerous.

<https://static1.squarespace.com/static/5498b74ce4b01fe317ef2575/t/59473f9aa5790a3945873339/1497841564570/Dkt.+394--Stops+Assessment.pdf>, p. 24.

Board discussed, further, that even if the policy governing frisks during *Terry* stops did apply, officers would be reasonable in concluding, under these circumstances, that they had insufficient factors to support reasonable suspicion that she was, at that time, armed and dangerous.

The Board discussed that it is not unusual for officers to encounter individuals in varying states of dress, particularly in their own homes. The Board noted that that while the coat may seem odd in hindsight, her state of dress would not in and of itself be suspicious prior to that point given the nature of the call and her status as the complainant. The Board further discussed that asking a person believed to be a crime victim to submit to a voluntary frisk would be inconsistent with policy under these facts, but also noted, practically, that she would have been free to refuse a frisk, and that the officers' only alternative option, had they sought to frisk and been denied, would have been to leave, thus denying her access to equitable police services.

The Board noted that asking an individual who is not the subject of an investigative stop to submit to a voluntary frisk may affirmatively escalate a situation or may provoke a violent response.

The Board discussed whether there was any indication after the officers entered the apartment that the situation might escalate. The Board discussed the officers' observations that the subject was calm and collected as she led officers to the back bedroom to point out where the PlayStation was reportedly missing, speaking in a conversational tone. They noted that she was responsive to the officers' questions.

The Board discussed that the officers did not have knowledge of the third child, asleep in the bedroom. The Board noted that the officers were thus in a position of surprise, and of then needing to take time to confirm whether there were still others in the apartment, following the use of force. The Board recommended that this be discussed as a possible training point.

The Board discussed the officers' positioning as they were wrapping up the burglary investigation. The Board noted that despite the confined and cluttered environment, officers did a good job tactically of positioning themselves triangulated with the subject, as Officer Anderson stood near the apartment doorway and Officer McNew positioned himself in the entry to the kitchen. While the Board expressed concern around this positioning insofar as it resulted in Officer McNew being trapped in the kitchen once Ms. Lyles began moving towards him unexpectedly, the Board also noted that training emphasizes the importance of blocking access to kitchens, as kitchens (which generally contain knives) are considered one of the most hazardous areas in homes. The Board also noted that the officers were limited by the configuration of the entryway and clutter near the doorway. The Board noted that there were several rugs on the ground (in the kitchen, and in the hallway), that potentially created tripping/slipping/sliding hazards.

The Board discussed whether officers should have attempted to exit the apartment once the first knife was produced, but agreed that (1) given the close quarters of the kitchen and hallway, Officer McNew would have had to place himself in close thrusting distance, if not direct contact

with Ms. Lyles, to do so, thus rendering himself even more vulnerable to attack; (2) that it would have been tactically unsound and contrary to training for Officer Anderson to separate from his partner; and (3) that even had the officers been able to remove themselves from the apartment, doing so would have left the two small children in a dangerous situation, as Officer McNew noted in his statement.

The Board discussed the officers' verbiage in directing Ms. Lyles to "Get back!" and questioned whether these commands were sufficiently clear. The Board agreed that this direction was clear and feasible; while the officers did not have room to maneuver backwards, Ms. Lyles had a clear path to move backwards into the open living room. The Board discussed that the officers' primary intent, consistent with de-escalation training, would be to attempt to create distance and physical separation in order to allow more time to consider options, rather than immediately moving to use force; that this direction was clear and consistent with an effort to create distance and separation; and that she appeared to understand the direction, as she did step back initially before turning towards Officer McNew.

The Board discussed the officers' preparation with respect to less-lethal tools. As Officer Anderson's failure to carry his Taser on this date was previously referred as a policy violation by the Department to OPA (see footnote 8), the Board did not discuss policy issues in this respect. The Board did discuss whether a Taser, baton, or OC spray would have been a viable tactical alternative to lethal force; these discussions are detailed in Section C of this document.

At this point, the Board voted as to whether the tactics and decision-making were consistent with training and policy. The Board found that each officer did employ tactics and decision-making that were consistent with training and policy.

2. DE-ESCALATION

SPD policy 8.100, developed in collaboration with the Department of Justice and Monitoring Team, and as approved by the federal court, provides in full:

1. When Safe under the Totality of the Circumstances and Time and Circumstances Permit, Officers Shall Use De-Escalation Tactics in Order to Reduce the Need for Force

De-escalation tactics and techniques are actions used by officers, when safe and without compromising law enforcement priorities, that seek to minimize the likelihood of the need to use force during an incident and increase the likelihood of voluntary compliance.

When safe and feasible under the totality of circumstances, officers shall attempt to slow down or stabilize the situation so that more time, options and resources are available for incident resolution.

When time and circumstances reasonably permit, officers shall consider whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to:

- *Medical conditions*
- *Mental impairment*
- *Developmental disability*
- *Physical limitation*
- *Language barrier*
- *Drug interaction*
- *Behavioral crisis*

An officer's awareness of these possibilities, when time and circumstances reasonably permit, shall then be balanced against the facts of the incident facing the officer when deciding which tactical options are the most appropriate to bring the situation to a safe resolution.

Mitigating the immediacy of threat gives officers time to utilize extra resources, and increases time available to call more officers or specialty units.

The number of officers on scene may increase the available force options and may increase the ability to reduce the overall force used.

Other examples include:

- *Placing barriers between an uncooperative subject and an officer*
- *Containing a threat*
- *Moving from a position that exposes officers to potential threats to a safer position*
- *Decreasing the exposure to potential threat by using*
 - *Distance*
 - *Cover*
 - *Concealment*
- *Communication from a safe position intended to gain the subject's compliance, using:*
 - *Verbal persuasion*
 - *Advisements*
 - *Warnings*
- *Avoidance of physical confrontation, unless immediately necessary (for example, to protect someone, or stop dangerous behavior)*
- *Using verbal techniques, such as Listen and Explain with Equity and Dignity (LEED) Training, to calm an agitated subject and promote rational decision making*

- *Calling extra resources to assist or officers to assist:*
 - *More officers*
 - *CIT officers*
 - *Officers equipped with less-lethal tools*
- *Any other tactics and approaches that attempt to achieve law enforcement objectives by gaining the compliance of the subject.*

<https://www.seattle.gov/police-manual/title-8---use-of-force/8100---de-escalation>

The Board discussed whether the officers' initial contact, interactions with the subject during what they believed to be a completed burglary investigation, and reaction to Ms. Lyles' assault¹⁴ on Officer Anderson were consistent with these principles. The Board discussed that, in their initial contact and during the burglary investigation, the officers and Ms. Lyles spoke in conversational tones, that the officers engaged in a manner consistent with LEED, and that, prior to Ms. Lyles' assault on Officer Anderson, there were no actions by Ms. Lyles that would have indicated a need for further-de-escalation and no action by the officers that would have foreseeably escalated the situation. The Board agreed that there was no indication that Ms. Lyles was impaired or disabled by any condition. The Board discussed that approximately 19 seconds elapsed between the initial command to "Get back!" and the point at which shots were fired, and considered whether time and circumstances would have allowed for additional steps to mitigate the threat posed by the subject. The Board discussed the layout, configuration, and condition on the apartment, the presence of the children, and the backdrops of each officer as factors that would bear on the complexity of the situation.

The Board compared this incident to the June 5th incident, noting that in the June 5th incident, the officers had opportunity to use a couch to create a barrier between them and Ms. Lyles, and that the presence of a child on her lap during that incident also had the effect of slowing down the situation and providing officers time to continue de-escalation efforts. In contrast, the Board noted that in this incident, there was no barrier between the subject and Officer Anderson, that Officer McNew had initially attempted to use the peninsula as a barrier, an attempt that was ultimately unsuccessful once Ms. Lyles closed the distance and moved within a few feet of Officer McNew. The Board noted that the officers had no room to back up to create distance, and that debris and rugs on the floor created additional hazards. The Board noted that in the June 5th

¹⁴ Assault with a deadly weapon is a Class A felony. RCW 9A.36.011. The fact that Ms. Lyles did not, in fact, inflict bodily injury upon Officer Anderson is irrelevant for purposes of assessing the crime committed. "It is firmly established in this state that an assault is an attempt, with unlawful force, to inflict bodily injury upon another, accompanied with the apparent present ability to give effect to the attempt if not prevented." *State v. Murphy*, 7 Wn. App. 505, 511 (1972) (citing *State v. Shaffer*, 120 Wash. 345 (1922); *State v. Evans*, 32 Wn.2d 289 (1949)).

incident, Ms. Lyles had been non-compliant but was not actively assaultive;¹⁵ in this instance, Ms. Lyles was actively assaultive, as she had already assaulted Officer Anderson and was moving towards, and within feet of, Officer McNew, wielding a knife in each hand.¹⁶

The Board agreed that (1) prior to the assault on Officer Anderson, the officers' conduct was consistent with de-escalation principles and LEED; (2) prior to the assault on Officer Anderson, there was no escalation of events that would have triggered additional de-escalation measures; and (3) that once Ms. Lyles assaulted Officer Anderson, neither time nor circumstances allowed for officers to take additional steps to attempt to de-escalate the situation. The Board discussed whether, considering these findings, policy 8.100 would not apply because de-escalation was neither safe nor feasible, or whether, considering the incident in its totality, the officers' actions complied with requirements of 8.100 until it was no longer safe and feasible to continue de-escalation attempts. The Board identified the following factors as bearing on this decision:

- Officer Anderson took time to more fully assess the situation upon arriving, which the Board identified as exemplary insofar as the call was a low-priority, typically one-officer response;
- Upon noticing the Officer Safety Caution, Officer Anderson took time to read the underlying report, and based on that report, requested that a second officer respond;
- Officer McNew, who is CIT-certified and highly experienced in crisis interactions, provided appropriate CIT coverage;
- Prior to entering the apartment, the officers discussed the prior incident and articulated a plan not to let her get behind them;
- Throughout their interactions with the subject prior to her assault on Officer Anderson, the officers treated her with equity and dignity; and
- Upon recognizing her to be armed and assaultive, gave her clear direction to "get back."

Based on these factors, the Board concluded that Policy 8.100 applied, that both officers' actions complied with policy and de-escalation training up to the point of her assault on Officer Anderson, after which, in light of the close proximity of Ms. Lyles to Officer McNew, her affirmative actions to close that distance, the potential for crossfire between the officers were she allowed to move closer, and the active lethal threat she posed, it was neither safe nor feasible to attempt further de-escalation.

¹⁵ Compare also <https://www.seattletimes.com/opinion/editorials/seattle-police-department-crisis-intervention-training-saves-lives/>.

¹⁶ Compare <https://www.seattletimes.com/seattle-news/crime/gentle-soul-mother-friend-perplexed-by-actions-of-knife-wielding-man-killed-by-officer/>; <https://www.seattletimes.com/seattle-news/crime/knife-wielding-man-shot-by-seattle-officer-charged-with-assault/>

B. COMPLIANCE WITH SPD USE OF FORCE POLICY

SPD's Use of Force Policy allows for the degree of force that is objectively reasonable, necessary under the circumstances, and proportional to the threat or resistance of a subject. The policy defines these factors as follows:

Objectively reasonable: The reasonableness of a particular use of force is based on the totality of circumstances known by the officer at the time of the use of force and weighs the actions of the officer against the rights of the subject, in light of the circumstances surrounding the event. It must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight

The calculus of reasonableness must allow for the fact that police officers are often forced to make split-second decisions—in circumstances that are tense, uncertain, dynamic and rapidly evolving—about the amount of force that is necessary in a particular situation.

The reasonableness inquiry in an excessive-force case is an objective one: whether the officers' actions are objectively reasonable in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Necessary: Officers will use physical force only when no reasonably effective alternative appears to exist, and only then to the degree which is reasonable to effect a lawful purpose.

Proportional: The level of force applied must reflect the totality of circumstances surrounding the situation, including the presence of imminent danger to officers or others. Proportional force does not require officers to use the same type or amount of force as the subject. The more immediate the threat and the more likely that the threat will result in death or serious physical injury, the greater the level of force that may be objectively reasonable and necessary to counter it.

<https://www.seattle.gov/police-manual/title-8---use-of-force/8000---use-of-force-core-principles>

Factors to be considered in assessing whether force is reasonable include:

- The seriousness of the crime or suspected offense;
- The level of threat or resistance presented by the subject;
- Whether the subject was posing an immediate threat to officers or a danger to the community;
- The potential for injury to citizens, officers or subjects;
- The risk or apparent attempt by the subject to escape;
- The conduct of the subject being confronted (as reasonably perceived by the officer at the time);

- The time available to an officer to make a decision;
- The availability of other resources;
- The training and experience of the officer;
- The proximity or access of weapons to the subject;
- Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number of officers versus subjects; and
- The environmental factors and/or other exigent circumstances.
- Whether the subject has any physical disability.

Note: Department training around Use of Force, De-escalation, Crisis Intervention, and Tasers, all of which was constructed with technical assistance from the DOJ and the Monitoring Team and has been approved by the Court, are described in greater detail in the Department's July 13, 2017 and September 12, 2017 responses to series of City Council questions regarding policies and training (Attachments F and G to this report).

The Board discussed that in this case, Ms. Lyles was not the suspect of a crime or suspected offense at any point during the incident up until the instant that she assaulted Officer Anderson. The seriousness of the contact, accordingly, escalated instantaneous from no objectively perceivable threat during the first several calm moments of the officers' investigation of a reported burglary to a sudden, unprovoked assault with a lethal weapon. The Board discussed the lethality of the threat presented, noting that one well-placed slash or stab wound can cause an individual to rapidly bleed out.

The Board discussed that the protective Kevlar vests provided to officers are not designed to protect against an edged weapon threat (specifically noting that, whereas Scottish/British police called to respond to edged weapon scenarios wear heavier, collared vests that are designed to protect all of the core, groin (femoral artery), and neck against edged weapons but offer less protection against ballistic threats, Kevlar vests are designed to protect an officer's core against ballistic threats but offer little protection against a stabbing or slashing injury).¹⁷

The Board considered whether Ms. Lyles posed a risk of flight or attempt to escape. The Board agreed she did not, discussing (1) that Ms. Lyles was in her own apartment and affirmatively

¹⁷ The warning that is located on the insert to vests provided to SPD officers can be accessed at <http://www.armorexpress.com/fms> and reads in full: *Warning: This garment is rated ONLY for the ballistic threat level stated above. It is NOT intended to protect against rifle fire or sharp-edged or pointed instruments.* See also <https://www.safeguardclothing.com/articles/difference-between-a-stab-and-bullet-proof-vest/> ("If a vest features stab protection, it will not necessarily be bullet proof. Equally, a bullet proof vest may offer no protection to bladed weapons. Also, a vest which is bullet and edged blade resistant may offer no protection to spike threats (i.e. screwdrivers, knitting needs, syringes, etc.)") The latter link provides good discussion as to equipment considerations given the prevalent threats of a different environments.

summoned officers to respond, and (2) was engaged in an active assault on Officer McNew after having assaulted Officer Anderson.¹⁸ The Board agreed that she posed an immediate lethal threat to officers and to the two small children nearby. The Board discussed the immediacy of the threat, the complexity of the environment, her refusal to respond to verbal commands to “get back”, and agreed that the officers had no reasonable time or opportunity to attempt an alternative action.

The Board considered the relative size differences between Ms. Lyles and the officers. The Board discussed that this would be relevant in a physical force confrontation, but that size is not relevant when a person is armed with a knife (or knives).

The Board considered whether training or policy would support closing the distance to go hands-on with a subject in these circumstances and agreed that it would be counter to training and tactically unsound to do so. The Board discussed that officers are not equipped to protect against an edged weapon assault, nor does policy or training require or expect officers to undertake the risk of attempting to physically control a combative and assaultive subject who is armed with a knife.

The Board specifically considered the availability and viability of department-approved less-lethal tools (Taser, OC spray, baton). As to each, the Board concluded that in these circumstances neither time nor distance allowed for effective use of either, but further discussed as follows:

Taser: The Board discussed that a Taser can be an effective tool under certain circumstances, but was unlikely to be so here for the following reasons:

- Taser effectiveness, generally, hovers only around 50%. (SPD 2016 statistics, which are consistent with those reported by other agencies, show an effectiveness rate of 46%; see 2016 Taser Report (Attachment E). The Board noted common misperceptions around Tasers as a “miracle tool.”)
- To be effective, both Taser probes must penetrate a subject. Taser probes will not penetrate against baggy or heavy clothing. In this case, the subject was wearing a long, puffy black coat, making it unlikely that a Taser would have penetrated through the coat material. (The Board also considered that Officer McNew is not Taser-trained (a two-day course) and would not have been familiar with the guidelines around Taser use when he asked Officer Anderson to “tase her.”)
- Because Taser effectiveness requires adequate spread between probes in order to achieve neuromuscular incapacitation, optimal distance is 7-15 feet; in this case, Ms. Lyles was well within half of that distance from each officer.

¹⁸ The Board noted that Officer Anderson’s shots were not in the back of a fleeing suspect, as would be governed by *Tennessee v. Garner*, 471 U.S. 1 (1985), but were intended instead to end the lethal threat to Officer McNew (the “immediate threat to others” prong of *Graham v. Connor*, 490 U.S. 385 (1989)).

- The Board discussed that Taser effectiveness may also be affected by low body mass as well as a subject's physiological state.

The Board agreed that it would run counter to training, and be tactically unsound, to rely on a Taser in these circumstances.

OC Spray: The Board agreed that deploying OC spray in the small confines of the apartment would be tactically counterproductive. The Board discussed the secondary effect of potentially disabling both officers, neither of whom was protected with a mask, thus rendering them more vulnerable to attack. The Board also discussed that OC can take up to several seconds to take effect and does not reliably stop a person – an assaultive individual can still move forward with a physical attack even though their eyes may be burning. The Board agreed that it would run counter to training to deploy OC spray under these circumstances.

Baton: Batons require sufficient room to draw and maneuver. The Board discussed whether officers would have had sufficient opportunity to consider baton use given the confines of the kitchen. The Board agreed that neither time nor space would have allowed for officers to ready themselves with their batons. The Board noted that a baton, if already in hand, can be used to create distance while transitioning to a firearm, but discussed that state, department, and national training are consistent that the baton is not an appropriate tool to defend against a deadly threat/edged weapon, and that it would have been inconsistent with training, and tactically unsound, to attempt to meet the lethal threat presented by Ms. Lyles in this situation with a baton.

In response to a specific question from an observer, the Board discussed that it would run counter to training and be tactically unsound to set aside a firearm in these circumstances in favor of using an improvised weapon, such as a pan, the meatloaf on the counter, or the trashcan.

Based on the factors known to the officers at the time force was used, the determination that officers had no reasonably effective alternative to using force to respond to the active lethal threat that Ms. Lyles presented, and the immediacy and seriousness of that threat, the Board voted that the officers' use of force was reasonable, necessary, and proportional, and complied with SPD policy.¹⁹

The Board noted that the officers fired rounds consistent with training, and ceased firing as soon as they perceived the immediacy of the threat had ended.

¹⁹ This finding can be compared to a finding from the Monitor regarding an incident that occurred under somewhat similar circumstances, in which an officer discharged his firearm, from a distance of 15-20 feet, at a subject, armed with two knives, who advanced on officers, and refused commands to drop the knives. The Monitor found that it was reasonable to conclude that the force used in that incident was not inconsistent with policy and training. See <https://static1.squarespace.com/static/5498b74ce4b01fe317ef2575/t/58e6793bd2b857876413c2f3/1491499326403/Ninth+Systemic+Assessment--Use+of+Force--FINAL.pdf>, at pp. 76-77.

C. SUPERVISION

The Board considered that no supervisor was present on-scene prior to force being applied. The Board agreed that given the nature of the call (priority 3 completed burglary), Ms. Lyles' status as complainant (victim) of a reported burglary, the information Officer Anderson was able to learn about the June 5th encounter, his precautionary request for an additional officer, and Ms. Lyles' responsiveness and demeanor up to the point where she produced a knife, there would have been no reasonable expectation to call for a supervisor. The Board noted that this was not a type of incident to which a supervisor would expect to be called.

Although the Board rejected that a Taser would have been an appropriate tool to protect against the threat posed, the Board discussed whether the officers' supervisor should have checked to ensure that Officer Anderson was equipped with his Taser prior to leaving the precinct after roll call. The Board agreed that it is ultimately the responsibility of individual officers to ensure they comply with uniform requirements.

The following supervisors were on-scene after the use of force:

- A/Sgt. Shroeder
- A/Lt. Pieper
- A/Lt. Simmons
- Lt. Arata
- Lt. Fitzgerald
- Capt. Sano

The Board agreed that post-incident, all supervisors on-scene provided appropriate guidance and support to involved officers.

The Board provided the following recommendations with respect to supervision:

- The Board recommended that that scene supervisors be reminded to provide more complete statements describing what role and decisions they made on-scene and all actions taken. It was recommended that Training and APRS assist in addressing this issue.
- The Board recommended that APRS revise the Public Safety Statement (PSS)²⁰ to clarify that sergeants should separate involved officers from each other when asking the compelled questions on the PSS. This issue was originally identified by FIT during their review. The Board agreed that this issue did not have any impact on their review of the case.

²⁰ The PSS is a series of compelled questions, which the officer is under order to answer, to provide immediate information regarding any outstanding public safety risks.

https://www.seattle.gov/Documents/Departments/Police/manual/08_300_Use_of_Force_Public_Safety_Statement_Card.pdf

- The Board recommended that APRS research the consistency of roll call sheets between precincts and verify that the information on those sheets relating to officer CIT or Taser certifications is accurate and complete. The Board recommended that roll call procedures be reviewed in an upcoming Patrol Ops meeting.
- The Board discussed that the protocol is unclear as to how an officer who no longer wishes to carry a Taser notify the Department of that intent. The Board recommended that APRS and Training address this issue.
- The Board discussed the lack of availability of replacement batteries for Tasers. (This issue was immediately addressed by the Department by requiring that each precinct stationmaster, and the Quartermaster, be provided sufficient supply, rather than requiring APRS to manage the replacement.)

D. REPORTING AND INVESTIGATION

The Board determined the FIT case contained the information needed to conduct the review and analysis of this incident.

The Board noted that the CSI presentation provided by Det. Biggs was very clear, precise, and easy to follow.

The Board identified the following issues for follow-up and feedback:

- The Board noted that resident and witness interviews were delayed after the incident. The Board noted that FIT should prioritize and respond to witnesses in more of a timely manner and document any reasons for delay.
- The Board recommended that there be cross-training with FIT as to questions they might anticipate from the FRB, as provided in findings documents.
- The Board questioned why FIT detectives and the chain of command agreed to sign a waiver of liability, as required by Solid Ground in order to enter the apartment in light of chemical contamination discovered subsequent to this incident, when SPD had a warrant to do so. The Board discussed that this was poor precedent and that this could create confusion in the future. The Board referred this issue to APRS and the Chief Legal Officer.
- The Board discussed that in exploring the officers' decisions to use lethal force, FIT appropriately and adequately explored whether the officers believed they had any alternative to the use of lethal force, including the use of less-lethal force, but did not question the officers specifically about the viability of less-lethal tools. The Board recommended that this be a training point for FIT.
- The Board discussed whether a collateral Special Assault Unit investigation, initiated following a report, subsequent to this incident, that Solid Ground had failed to report an incident in which Ms. Lyles was alleged to have threatened a child with a knife shortly before this incident, should have been investigated instead by FIT. The Board did not make a conclusion on this point.

- The Board noted that there had been turnover in FIT and recommended that newer FIT detectives shadow more experienced detectives on their first OIS case.
- The Board noted that the PowerPoint presentation was unclear as to whether Officer McNew stated “Taser” or “tase her” as heard on DICV and stated that that should have been more clearly determined.
- The Board requested that FIT better document when and why scene walk-throughs with officers post-incident cannot be conducted.
- The Board noted that CSI should have collected Officer Anderson’s notebook, seen in photographs on the floor after he dropped it, and placed it into evidence.
- While recognizing the Department’s commitment to transparency, the Board noted two issues with the initial media releases around this incident: (1) as to the officer safety caution, it was not clear whether the screen that was released by media was the screen as it appeared to Officer Anderson, or whether it had been updated since the incident; and (2) the initial transcription of the DICV audio reported Ms. Lyles as stating “Get ready, motherfuckers”, whereas subsequent review clarified that she had stated “You can’t do that either, motherfuckers.” The Board noted the potential that new policies around the expedited release of information may result in inaccuracies and recommended that the Department review protocols for the release of evidence that may require additional processing.

E. OTHER ISSUES AND RECOMMENDATIONS DISCUSSED BY THE BOARD

Scene Control

The Board discussed that a siren was left on at the scene, potentially impeding communications and causing a distraction. The Board recommended that, as part of EVOC training, officers be reminded to switch off sirens when parked at a scene.

The Board noted that the ability to control the scene immediately after the use of force was complicated by the need to attend to the care of the two small children in the apartment, as well as the older child whose presence was unknown prior to the incident. The Board commended the officers for taking immediate action to remove the children and to shield the eyes of the older child, but expressed concern that the children were then left in the custody of a neighbor until CPS arrived. The Board recommended that APRS and Training consider protocols for assigning an officer to attend to any children in such circumstances where the children are otherwise unattended by a family member.

The Board noted concern that radio “dead zones” in the building hampered radio communications. The Board recommended that the Department work with Seattle IT/King County 911 to determine whether there are equipment or facility improvements that might aid in better reception.

Officer Safety

The Board noted that there is no clear protocol distinguishing between a “fast backup” and a “help the officer” call. The Board recommended that APRS and Communications consider whether this is a distinction that should be addressed in training or policy.

The Board noted that, in providing first aid, protocols to protect against blood-borne pathogens were not followed by some officers (first aid was initiated without first donning gloves). While commending responding officers for their first aid/CPR efforts, the Board recommended that Training emphasize the importance of following biohazard protocols when providing first aid.

The Board recommended that APRS review protocols for hearing tests post-discharge for the involved officers. The Board also recommended that there be consideration for advising family members of options for obtaining hearing tests for the children, as they had likewise been subject to the sound exposure.

The Board discussed L&I concerns that personnel who responded post-incident were exposed to chemical contaminants in the apartment that measured above Washington State toxicity levels. The Board noted that the Department’s Safety Officer had followed up with medical professionals but recommended that APRS consider whether any additional protocols should be considered.

Family Liaison

The Board discussed the community and family outreach that was done following this incident. The Board noted that Chief O’Toole and Deputy Chief Best were on-scene, were in regular communication with the family, their pastor, other members of Seattle’s clergy, and engaged with members of the Solid Ground community and other community groups. The Board suggested that in addition to the Department’s community outreach, the City consider appointing a family liaison, separate from SPD, to help coordinate information sharing and to the family informed through the investigation process. The Board referred this as a discussion point with the anticipated Office of the Inspector General.

F. CONCLUSION

As a final note, the Department reiterates here what has become a resounding plea, locally and nationally: police are, in many respects, at the end of complicated, and often broken, systems. The Department has previously cited (Attachment F) an Op Ed written by leadership of the Center for Policing Equity, published in the New York Times on June 20th, that concluded in part:

*If we are to protect families in similar situations, we must extend the lens of our concern beyond police-community interactions – even in cases where the police pull the trigger. A reinvestment in public mental health resources – including hospitals and yes, better health care coverage for vulnerable Americans struggling with mental illness – are urgent necessities.*²¹

²¹ <https://www.nytimes.com/2017/06/20/opinion/charleena-lyles-seattle-police-shooting.html>

Through nationally acclaimed and court-approved training around crisis intervention, de-escalation, and use of force, developed in collaboration with the Department of Justice, and through its Crisis Intervention Committee, its Crisis Response Unit, its robust diversion strategies, and its work with the City's Navigation Team, SPD is doing all it can to ensure that its officers are as highly trained and skilled as possible to meet the increasingly complex needs of the community it serves – but SPD is just one link in a very long and often disconnected chain. The Department reiterates here its pledge to engage with any willing partner to explore whether there are training models that could be developed that might provide officers yet additional skills for protecting against active assaults involving edged weapons, but the Department also offers up this report with the additional hope that a critical lens might also be turned towards examining how other networks of support in our community and region might be similarly strengthened, supported, and coordinated such that, ultimately, meaningful interventions might occur well before the point that was reached here.

***** END *****